

# WICHITA POLICE DEPARTMENT

## POLICY NO. 609

<b>SUBJECT: K-9 UNIT</b>	
<b>Effective Date: 4/2/2020</b>	<b>Distribution: All Personnel</b>
<b>Reviewed/Approved Date: 2/12/2020</b>	<b>Next Review Date: March 2022</b>
<b>Approved By: Executive Staff</b>	<b>Amends/Rescinds: 3/4/2019</b>
<i>This policy is for departmental use only and does not apply in any criminal or civil proceeding. This policy should not be construed as creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this policy will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting</i>	

### I. PURPOSE

The purpose of this policy is to provide guidelines regarding the use of the Wichita Police Department (WPD) Patrol Canines. The Canine unit will strive to achieve the following goals:

- To support field personnel and other law enforcement agencies in their efforts to detect and identify controlled substances.
- To assist in the prosecution of criminal cases in which canine units are utilized to detect evidence of crimes.
- To aid in locating lost, missing persons, or criminal suspects.
- To familiarize law enforcement personnel with the capabilities and limitations of police canines.
- To promote public relations and awareness through educational programs.

### II. POLICY

It is the policy of the WPD, whenever possible and practical, to deploy and utilize specially trained police canines to aid officers in the performance of their duties.

### III. PROCEDURES

#### A. Assignments and Responsibilities

1. Patrol Canine teams assigned to the canine unit are commanded by a sergeant and report to the Patrol South Bureau Commander.
2. The individual handler shall have total responsibility for providing primary care and maintenance of the canine, including, but not limited to, the following responsibilities:
  - a. Housing, care, grooming, and safety of the canine.

1. A handler's residence shall accommodate an agency owned and provided outdoor kennel for housing the canine.
  2. Obtaining all routine and emergency veterinary care for the canine, including ensuring availability of all canine medical records.
  3. Housing a canine must comply with city code.
- b. Canine handlers will work hours as assigned by their immediate supervisor in accordance with the Memorandum of Understanding by and between the City of Wichita and the Fraternal Order of Police. The handler will be allowed 60 minutes daily at the end of shift for the regular care and maintenance of the canine. The handler's immediate supervisor may authorize additional time for care and maintenance as needed.
- c. Handlers shall ensure all training requirements are met.
1. Any certification requirements for both the handler and canine shall be kept current.
  2. Logs, diaries, and other related training records shall be maintained for required court appearances and inspections. All canine training shall be appropriately documented.
  3. Patrol K-9 handlers may devote one 10-hour shift per week to training, as determined by the canine unit supervisor, the unit trainer, or Chief of Police or designee. This time may be adjusted with prior approval from the canine unit supervisor.
  4. The unit trainer shall report failure to meet training standards or inferior performance to the canine unit supervisor.
  5. The Patrol Canine Unit Trainer, approved by Executive Staff, has the authority to direct individual canine training and to address performance discrepancies during training, or when identified and to temporarily remove from service any canine team failing to meet standards, until proficiency has been met.
- d. Handlers shall submit all reports through the proper channels.
- e. Handlers shall not:
1. Enter departmentally owned canines in any dog show or exhibits without the approval of the Bureau Commander.

2. Register departmentally owned canines with any society or organization without authority.
  3. Use or permit the use of a WPD canine for stud service.
  4. Deliberately treat a canine inhumanely.
3. A detailed description of the operations and administration of the canine unit is available in the canine unit's standard operating procedure.

#### **B. General Guidelines for WPD Employees**

1. In the event a handler becomes incapacitated, another canine handler shall be notified and respond to the scene to secure the canine, if practical. Officers at the scene may use any means necessary to secure the canine when the handler needs immediate assistance.
2. Officers shall not, under any circumstances, strike a canine handler or engage in any horseplay with a canine handler while the handler's canine is present. All officers shall remember the patrol canines have been trained to protect the canine handler from any perceived threat.
3. Any violations of the below-listed rules will immediately be reported through the canine handler's chain of command. Officers (not including canine handlers) will never:
  - a. Strike or discipline a police canine.
  - b. Tease or agitate a police canine
  - c. Give a police canine any commands, unless instructed by the handler.
  - d. Feed a police canine without the canine handler's permission.
  - e. Attempt to play with a police canine without first obtaining the canine handler's permission and having the canine handler present.
  - f. Enter a police canine vehicle without the canine handler's knowledge or presence unless in an emergency.
  - g. Officers will never remove the police canine from the canine vehicle or other areas of confinement without the canine handler's knowledge or presence.

#### **C. Requests for Patrol Canine Assistance**

1. The hours worked by the Canine unit vary. To request a patrol canine, contact 911 Dispatch. 911 Dispatch will check to see if a canine team is on-duty. In the event a requested on-duty canine team is not available, a Watch Commander (Sergeant or above), can request that 911 Dispatch contact the Canine Unit supervisor who will determine if a Patrol Canine will respond.
2. Requests for assistance shall contain specific information explaining the reason for the request.

3. Requests for a WPD canine team from an outside agency for suspect apprehension, tracking, trailing or building search shall be forwarded to the Commander of the requested canine team who may approve or deny the request. If exigent circumstances exist or immediate action is warranted, a Watch Commander (Sergeant or above) may determine if the request for assistance shall be accommodated.
4. A Sergeant or above may authorize requests for a WPD canine team to conduct a narcotics sniff for an outside agency outside the city limits
5. Requests for a WPD Patrol Canine team outside of Sedgwick County must be approved by a Deputy Chief or the Chief of Police. If exigent circumstances exist, the Bureau Commander of the requested canine can approve such request.
6. Supervisor approval is not required to assist an outside agency within the city limits of Wichita on a narcotics sniff.
7. Requests for a WPD Patrol Canine team from a non-police agency must be approved by a Bureau Commander.

**D. Procedures for Canine Usage**

1. Building Searches
  - a. Officers should immediately request a Patrol Canine team through 911 Dispatch if they determine a burglary has occurred to a structure and it is possible suspects may still be inside.
  - b. Prior to the arrival of the Patrol Canine team, the following steps should be taken:
    1. The outside perimeter should be secured.
      - a. If a window has been broken or removed, officers will relay this information to the responding canine team.
      - b. It may be necessary to obtain a key to enter the building safely.
    2. When possible, take up positions around the building, but not right next to it. Officers should use cover and concealment to their full advantage.
    3. No one should enter the structure before the canine team arrives.

- c. After an approach to the building is conducted, the canine handler will issue warnings to anyone in the structure advising them the police are present and a canine will be sent into the structure; unless circumstances make such announcements impractical or tactically unsafe.
- d. If the canine alerts to a suspect(s) or the canine makes an apprehension, officers will not leave the canine handler unless they are instructed to do so.
  - 1. Tactics shall be considered as officers work their way to the location of the alert or the apprehension.
  - 2. Officers should not move ahead without first clearing each room.
  - 3. If an apprehension has taken place, officers will not interfere with the commands of the canine handler and will not come into contact with the suspect or canine until told to do so by the canine handler.

## 2. Tracking

- a. When a canine team is requested for tracking, the procedures listed below will be followed for the maximum effectiveness and safety of the canine:
  - 1. Patrol canines track on the principle of crushed or disturbed ground vegetation. It is imperative officers do not disturb the search area before the canine team arrives.
  - 2. Officers will set up a perimeter, when possible. Officers will maintain visual contact of their assigned areas from their vehicles or buildings if safe to do so.
  - 3. Officers will relay the last known location of the suspect to the canine team and show where the track should begin.
  - 4. One or more back-up officers may be used to assist in the search.
    - a. Officers assigned as back-up officers will stay with the canine team as directed by the canine handler.
      - i. If the canine handler stops, back-up officers will stop and wait for the canine team to continue the track.
      - ii. If it becomes necessary for a back-up officer to stop while the canine team is tracking, they will advise the canine handler immediately.

- b. Back-up officers will be on the alert for movement and suspect(s) hidden in the area. It is not necessary for the back-up officers to watch the canine. The back-up officer's responsibility is lethal cover for the canine handler, as the handler will be focused on the dog's behavior.

### 3. Area Searches

- a. A Patrol Canine team may be used in an area search mode, within a contained outside area, to locate a suspect(s).
- b. Criteria to be considered before requesting a canine team for an area search:
  1. During an area search, as in a building search, the canine is using its nose to locate human scent. Officers will consider weather and other environmental factors before requesting the canine team, particularly wind speed and direction.
  2. The canine handler must know a suspected area in which to search.
- c. Area Search Procedures:
  1. A perimeter will be secured in the same manner as a tracking situation.
  2. The canine will be directed to search by the canine handler or will be escorted on a patrol route to assist in locating the scent of a suspect. The wind direction will be an important factor.
  3. As in a tracking situation, all back-up officers shall be aware of movement in and around the search area.
  4. The canine handler shall watch the canine to see if the canine makes an alert.
    - a. Once the canine has alerted to the presence of human scent in the area, the canine handler will announce the canine is about to be deployed unless circumstances make such announcements impractical or tactically unsafe.
  5. If the canine alerts to a suspect(s) or makes an apprehension, officers shall not leave the canine handler unless they are instructed to do so.
    - a. Tactics shall be considered as officers work their way to the location of the alert of apprehension. During an area

search with limited concealment and cover, officers may become vulnerable.

6. If an apprehension is taking place, officers shall not interfere with the commands of the canine handler and shall not come in contact with the suspect or canine until told to do so by the canine handler.

#### 4. Criminal Apprehensions by a Patrol Canine

- a. The procedures listed below will be followed for maximum effectiveness and safety during canine criminal apprehensions:
  1. When determining whether to deploy a canine for criminal apprehensions, the canine handler will take the totality of the circumstances into account. In particular, the canine handler will consider the following:
    - a. The severity of the crime the suspect is wanted for.
    - b. Whether the suspect presents a potential threat to the safety of officers or others.
    - c. Whether the suspect is actively resisting arrest or attempting to escape by fleeing or hiding from officers.
  2. The canine handler will not send the canine to apprehend a suspect if it is known the suspect is being directly pursued by a police officer on foot.
  3. The canine handler or back-up officer, upon release of the canine, should advise 911 Dispatch the canine has been deployed.
  4. All officers in the area, except the canine handler, shall stand still when the canine has been deployed on an apprehension.
    - a. Back-up officers in the area of a canine apprehension are vulnerable. Officers shall stop moving and wait for instructions from the canine handler.
    - b. Contact by the canine may be unavoidable if an officer is moving. If an officer is bitten by a canine, the officer will stop moving, and the canine handler will immediately call off the canine.
    - c. Officers will not attempt to fight the canine or pull away. After the canine has been released, officers will not make any sudden movements and will follow all instructions from the canine handler.

## 5. Evidence Searches

- a. The procedures listed below will be followed for maximum effectiveness and safety during evidence searches by the canine team:
  - 1. Officers shall not contaminate the area prior to the canine search.
  - 2. The decision to search on- or off-leash shall be made by the canine handler.
  - 3. The canine handler must have a general idea where to search to locate evidence left or dropped by a suspect in a crime scene and any personal items lost by the suspect.

## 6. Narcotics Detection

- a. The use of the Patrol Canine team for narcotics detection is a valuable tool in drug enforcement. The canine's ability to locate narcotics is directly related to the availability of the scent. The procedures listed below will be followed for maximum effectiveness and safety during narcotics detection or evidence searches by the canine team.
- b. Officers who require the assistance of a canine to sniff for controlled substances will:
  - 1. Possess a search warrant, consent to search, or articulated reasonable suspicion prior to requesting a canine team.
  - 2. Contact 911 Dispatch and request the assistance of an on-duty canine team.
  - 3. When requesting the canine team for use in sniffing a vehicle suspected to contain illicit drugs, officers will follow the procedures for Canine Vehicle Sniffs as described in this policy.
  - 4. When requesting the canine team for use in sniffing a building or structure suspected to contain illicit drugs, officers will follow the procedures for Canine Building Sniffs described in this policy.
- c. Upon arrival at the scene, the requesting officer will brief the canine handler on the:
  - 1. Need for the canine
  - 2. Search procedures conducted prior to the arrival of the canine handler



3. Areas they wish to have sniffed

- d. The canine handler shall request officers secure the area and remove all suspects, observers, and other officers from the immediate search area prior to sniffing the vehicle, residence, building, or property for suspected control substances. Officers will also collect any drug evidence in plain view and notify the handler where these items were located.
- e. At the completion of the sniff, the canine handler will advise the requesting officer of any items located and turn the scene over to the requesting officer.
- f. It is the responsibility of the requesting officer to determine if an arrest will be made based on the evidence recovered and whether to take persons and/or evidence into custody.
- g. Canine handlers will not be responsible for turning in evidence recovered from a requested search.

7. Canine Vehicle Sniffs

- a. The canine handler will be responsible for making certain the narcotics detection is initiated at a safe location. No detection operations will occur when the canine handler has deemed the area unsafe.
- b. It is the responsibility of the requesting officer and back-up officers to maintain observation of the operator or occupants of the vehicle. The canine handler must pay a great deal of attention to the canine during a narcotics sniff. **All occupants must be removed prior to the canine being deployed.**
- c. If the interior will be entered by the canine, the requesting officer will first take custody of any narcotics or paraphernalia in plain view.

8. Canine Building Sniffs

- a. The requesting officer will conduct a search of the area with the canine handler.
  - 1. This search will be conducted without the canine to take into custody any narcotics or paraphernalia in plain view.
- b. The canine handler will make certain of a safe working environment for the canine.

1. If the canine handler has deemed the area unsafe, the canine will not be used for a detection operation.
  - c. All persons on the premises shall be removed or placed in one area prior to beginning the narcotics sniff. **EXCEPTION:** In the event of a consent search, the owner or owner's representative may be permitted inside the structure.
  - d. It is the responsibility of the requesting officer or back-up officer to maintain observation of the owner or representative. The canine handler must pay a great deal of attention to the canine during a narcotics search.
9. Locating lost persons or searching for victims of natural disasters
  - a. The Patrol Canine team will only be used to locate lost/missing persons in emergencies and must be authorized by the Patrol South Bureau Commander or higher.
10. Crowd Control
  - a. When authorized by a Watch Commander the Patrol Canine teams may be used to control a crowd, only when necessary to prevent death or injury to innocent persons, or to prevent assaults on police officers.
    1. When a canine team responds to a call for "crowd control", the officer will arrive at the scene and place their vehicle within visibility of the crowd; however, they will not remove their canine to engage the crowd unless it is to prevent death or injury to innocent persons or to prevent assaults on police officers.

#### **E. Canine Reporting**

1. Reporting Requirements
  - a. Due to the nature of the assignment, the individual canine handler is responsible for consistent, thorough, and detailed reporting and documentation. The canine handler is responsible for all documentation related to the canine team.
    1. Each Patrol Canine handler will complete the Canine Utilization Report to document specific canine work.
    2. Each Patrol Canine handler will utilize the Department's approved K-9 software to retain canine specific documentation.

3. When a WPD case number is attached to a deployment report, the Patrol Canine handler is required to submit a copy of the deployment report to the Records Section for entry into the case file.

**F. Canine Use of Force Investigations**

1. In the event of a canine bite, regardless of whether or not the bite occurred in the line of duty, the handler shall comply with the following provisions:
  - a. Provide appropriate emergency medical assistance.
  - b. Immediately notify the Canine Unit Supervisor and if not available any available supervisor.
  - c. The handler will make sure the incident is documented with a WPD case, reporting all facts, interviewing all witnesses, and detailing medical treatment.
  - d. Photographs of the injuries and the scene will be taken
    1. In addition, photos of the cleaned-up injuries should be taken as soon as possible.
  - e. The Canine Unit Supervisor or responding supervisor will notify the appropriate Bureau Commander prior to the end of the shift.
  - f. A monthly Patrol Canine bite review will be conducted with the canine unit sergeant, lieutenant, Patrol South Bureau Commander and the Commander of the Professional Standards Bureau.

**G. Issuance of Narcotic Training Aids, Storage, and Check-out Procedures**

1. Issuance of narcotic training Aids
  - a. For the purpose of training the canines, training aids of controlled substances will be issued to the K-9 Unit supervisor and may be checked out by each individual handler.
  - b. When new training aids are needed, as initial issue or replacement, the K-9 Unit supervisor will submit an Officers Report, through channels, to the Deputy Chief over Investigations. This Officers report will detail specific cases in which specified controlled substances can be used for training department canines and are no longer needed for evidentiary purposes.

- c. The K-9 Unit supervisor will audit the initial issue of controlled substances with the Patrol South Bureau Commander or designee. The documentation of the actual gross weights of controlled substances issued will be maintained at Patrol South by the Patrol South Bureau Commander. The initial issue of controlled substances shall include the following controlled substances:
    - 1. Cocaine (in any form)
    - 2. Methamphetamine (in any form)
    - 3. Marijuana (in any form)
    - 4. Heroin (in any form)
  - d. Each K-9 handler will be issued approximately 10 grams of marijuana to be stored and secured by the handler. This marijuana is to be used for training purposes and/or K-9 demonstrations.
  - e. The actual gross weight of training aid issued to the K-9 Unit supervisor will be handwritten by the Patrol South Bureau Commander on the original written documentation submitted, which is then stored in a secured area.
2. Storage of narcotic training aids
- a. The narcotic training aids issued to the K-9 Unit supervisor will be stored in a safe(s) at the Patrol South substation when not being used for training purposes. The handlers can check-out the controlled substances when they are needed for training or for demonstration purposes.
  - b. During a K-9 Basic class and with the approval of the Patrol South Bureau Captain, the K-9 Unit trainer may check-out and store the narcotic training aids in a K-9 vehicle equipped with an attached, lockable storage area.
3. Check-out and Check-In procedures
- a. K-9 handlers will need to fill out the check-out/in log which is stored in the safe with the narcotic training aids.
  - b. This log consists of the date/time the narcotics were checked out, the date/time the narcotics were checked in, the officer ID, location of the training, and the supervisor present when the narcotics were checked out and also checked back in.
  - c. Each specific type of narcotic is stored inside the safe in a removable carrying case. The narcotics will remain in this case when not in use for training.

- d. Each carrying case will have the list of specific individual bags of narcotics and the original weight of the narcotic written on the outside of the carrying case.
- e. At the conclusion of a training session, and prior to leaving the training site, the officer who checked-out the narcotics will verify with another handler all of the narcotics are back inside the carrying case. The handlers should also check to make sure each bag of narcotics remains intact and not damaged.
- f. K-9 handlers who checked-out the narcotic training aids will contact a supervisor prior to checking in the narcotic training aids and this will be documented on the check-out/in log.

4. Auditing of narcotic training aids

- a. Documentation kept by the Patrol South Bureau Commander and K-9 Unit supervisor and the actual gross weight of the narcotic training aids kept in the custody of the K-9 Unit supervisor/handlers are subject to audit at any time.
- b. Internal audits will be performed by the K-9 Unit supervisor and the Patrol South Bureau Commander or designee every thirty (30) days.
- c. Audits will also be completed by the K-9 Unit supervisor and the Patrol South Bureau Commander or designee in every instance where a handler, Sergeant, Lieutenant, or Captain is reassigned.
- d. Discrepancies other than moisture content or new packaging will be immediately reported to the Patrol South Bureau Commander who will notify the Field Services Deputy Chief.